

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**TAURUS CALDWELL**

**PETITIONER**

**v.**

**No. 4:08CV88-A-D**

**WARDEN ED HARGETT, ET AL.**

**RESPONDENTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated December 5, 2008, and the February 17, 2009, objections to the Report and Recommendation, the court finds that the petitioner's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated December 5, 2008, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the instant petition for a writ of *habeas corpus* is **DISMISSED** with prejudice as untimely filed under 28 U.S.C. § 2244(d).
3. That the instant case is **CLOSED**.

THIS, the 6th day of March, 2009.

/s/ Sharion Aycock  
**U. S. DISTRICT JUDGE**